

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 2753 OF 1992

Shri Balkrishna Shankar Waignakar .. Petitioners
And others

V/s

Smt. Satyavati Shivrul Anand and others .. Respondents.

None for the petitioners.

Mr. P.M. Hanur for respondent No.1 and 2.

CORAM : D.G.DESHPANDE, J.

DATE : 13TH SEPTEMBER, 2006.

P.C.

. Heard advocate for the respondent Nos. 1 and 2. Nobody is present for the petitioners, even though the matter is on board for final hearing. The petition has been filed against the order of the Maharashtra Slum, Areas (I.C. & R) Tribunal Mumbai dated 1/2/1992. By which order i.e. Exh. "K" delay in filing the appeal was condoned. It is one page order condoning the delay and after being satisfied with the explanation for delay was properly given. Against this order dated 1/2/1992. the present petition is filed in 1992 and interim relief in terms of prayer clause (b) was obtained by the petitioners. The petition is required to be dismissed

not only on the ground that nobody is present for the petitioner but the condonation of delay after hearing the parties was matter of discretion for the Tribunal. The condonation in the circumstances is judicial and properly exercised. There is no reason to interfere with that order and by fling petition and obtaining the stay the petitioners have succeeded in prolonging the matter for 14 years. There is no merit in the petition. Therefore, dismissed. Rule discharged. Stay vacated.

(D.G.DESHPANDE, J.)